

No. 334.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by the Government, at public expense, for a public purpose, namely, for construction of Jainpur Tikola to Garhi Tikola, Tehsil & District Sonapat in District Sonapat. It is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana, is pleased to authorise the officers, for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the requisition of any land in the locality may within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Haryana, P.W.D., B. & R. Branch, Ambala Cantt. under the said act.

SPECIFICATIONS

District	Tehsil	Locality/ Village	Hadbast No.	Area in acres	Khasra Nos.	Remarks
Sonapat	Sonapat	Tikola	16	3.64	23	
					16/1, 16/2, 16/3, 17, 18, 23	
					24	
					11, 12, 13/1, 13/2, 14/1, 14/2,	
					24	
					15/1, 15/2, 18, 19, 20	
					25	
					2, 3, 4, 5, 7, 8, 9/1, 9/2, 10, 11,	
					25 16 15	
					12 25, 21, 22, 23, 24, 25	
					26	
					2, 3, 4, 5, 26, 27	
					14 27	
					21 1	
					89, 100, 412, 377 to 385	

(Sd.)

Superintending Engineer,
Jind Circle, P.W.D., B. & R. Branch,
Jind.

IRRIGATION AND POWER DEPARTMENT

The 30th September, 1981

No. 12616/1-L/Sonapat.—Whereas it appears to the Governor of Haryana that land specified below is needed by the Government at public expense, namely, for land proposed to be acquired for Government brick kiln for lining of Ganour Distributary in village Chulkana, tehsil Sonapat, district Sonapat.

It is hereby notified that land in the locality described below is required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, for information of all to whom it may be concerned.

In exercise of the powers conferred by the aforesaid section the Governor of Haryana hereby authorise the Officers of the Irrigation Department with their servants and workmen for the time being engaged in the undertaking to enter upon and survey the land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within a period of thirty days of the publication of this notification file an objection in writing before the land Acquisition Collector, Flood Control and Drainage Works, Karnal.

And whereas the Governor of Haryana is further of the opinion that the purpose for which the land is required is of an urgent importance within the meaning of clause (C) of sub-section (2) of section 17 of the said Act.

Plans of the land may be inspected in the offices of the land Acquisition Collector, Flood Control and Drainage Works, Karnal and the Executive Engineer, Canal Living Division No. 18, Sonapat.

SPECIFICATION

District	Tehsil	Village	Area in acres	Hadbast No.	Boundaries
Sonapat	Sonapat	Chulkana	10.08	118	Rectangle No. 154 Killa No. 18, 19, 20, 21, 22 and 23. Rectangle No. 160. Killa No. 5 and 6/1 Rectangle No. 161. Killa No. 1, 2, 9 and 10.
Total :			10.08		

By order of the Governor of Haryana.

A. S. MALHOTRA,

Superintending Engineer,
Canal Living Circle V,
Karnal.

LABOUR DEPARTMENT

The 14th September, 1981

No. 9(1)81-6Lab./10307.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s Kay Iron Works Pvt. Ltd., Yamuna Nagar,

**BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER LABOUR COURT,
HARYANA, ROHTAK.**

Reference No. 156 of 1980

between

**SHRI RAM SINGH, WORKMAN AND THE MANAGEMENT OF M/S KAY IRON WORKS
PVT. LTD., YAMUNANAGAR.**

Present:—

Shri Balbir Singh for the workman.

Shri W. C. Sharma for the management.

AWARD

This reference has been referred to the this court by the Hon'ble Governor.—*vide* his order No. ID/YMN/118-80/34837, dated 31th June, 1981 under section 10 (i) (c) of the I. D. Act for adjudication of the dispute existing between Shri Ram Singh, workman and the management of M/s Kay Iron Works Pvt. Ltd., Yamuna Nagar. The term of the reference was :—

Whether the termination of services of Shri Ram Singh was justified and in order? If not, to what relief is he entitled?

On the receipt of the order of reference notices as usual were sent to the parties. The parties put in their appearance in response to the same. The management filed their written statement on 20th February, 1981 and the case was fixed for rejoinder & Issues. After two three adjournments the parties arrived at an amicable settlement and statement of the authorised representative of the workman was recorded on 27th August, 1981 as under:—

“The workman settled his dispute with the management and received a sum of Rs 305 in full and final settlement and executed the receipt for the same which is Ex. M-1 the settlement is M-2. Award may be given accordingly.”

In view of his statement no further adjudication is required as the parties have settled the dispute amicably. The reference is answered and returned accordingly.

BANWARI LAL DALAL,

The 29th August, 1981.

Presiding Officer,
Labour Court, Haryana.
Rohtak.

Endst. No. 3217, dated 1st September, 1981

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the I. D. Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 20th September, 1981

No. 9(1)81-6Lab/10509.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Chhabra Industries, C-21, Modern Industrial Estate, Bahadurgarh.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 38 of 1981

between

SHRI NANU RAM, WORKMAN AND THE MANAGEMENT OF M/S CHHABRA INDUSTRIES,
C-21, MODERN INDUSTRIAL ESTATE, BAHADURGARH

Present: —

Shri Chander Singh, for the workman.

Shri M. M. Kaushal, for the management.

AWARD

This reference has been referred to this Court by the Hon'ble Governor,—*vide* his order No. ID/RTK/8-81/8834, dated 19th February, 1981, under section 10(i)(c) of the Industrial Disputes Act, for adjudication of the dispute existing between Shri Nanu Ram, workman and the management of M/s Chhabra Industries, Bahadurgarh. The term of the reference was :—

Whether the termination of services of Shri Nanu Ram was justified and in order? If not, to what relief is he entitled?”

On receipt of the order of reference notices as usual were sent to the parties. The parties put in their appearance in response to the same and the case was fixed for settlement. After one adjournment on 12th August, 1981 the parties arrived at an amicable settlement between themselves and the settlement of the authorised representative of the workman was recorded as under :—

The workman has settled his dispute with the management,—*vide* settlement copy Ex. M-1. The workman does not want to pursue his dispute any further. The award may be given accordingly.

In view of his statement no further adjudication is required as the parties have settled the dispute referred to this court amicably. The reference is answered and returned accordingly.

BANWARI LAL DALAL,

Dated the 29th August, 1981.

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endorsement No. 3195, dated 30th August, 1981.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

The 21st August, 1981

No. 9(1)81-8 Lab/9400.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s The Brayne Central Cooperative Bank Ltd., Rewari, District Mohindergarh.

IN THE COURT OF SHRI HARI SINGH KAUSHIK, PRESIDING OFFICER,
LABOUR COURT, HARYANA, FARIDABAD

Reference Nos. 524, 527, 531 and 532 of 1980

between

S/shri Narbir Singh, Ram Kumar, Pushkar Datt and Sukhbir Singh, workmen and
and the Respondent Management of M/s The Brayne Central Co-operative
Bank Ltd., Rewari, District Mohindergarh.

Shri S.K. Goswami, for the Workmen.

Shri M.S. Bhatnagar, for the respondent management.

AWARD

These references Nos. 524, 527, 531 and 532 of 1981 have been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/GGN/78-80/56355, ID/GGN/70-80/56922, ID/GGN/73-80/56898 and ID/GGN/80-80/56892, dated 12th November, 1980, 18th November, 1980, 18th November, 1980 and 18th November, 1980 respectively under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Sarvshri Narbir Singh, Ram Kumar, Pushkar Datt and Sukhbir Singh, workmen and the respondent management of M/s The Brayne

Central Co-operative Bank Ltd., Rewari, District Mohindergarh. The terms of the references were :—

Whether the termination of services of S/Shri Narbir Singh, Ram Kumar, Pushkar Datt and Sukhbir Singh were justified and in order ? If not, to what relief are they entitled ?

After receiving these references, the notices were issued to the parties. The parties filed their claim and written statement and rejoinder. On the pleadings of the parties, on issues as per reference was drawn i.e. 1. Whether the termination of services of the workman is proper, justified and in order ? If not, to what relief is he entitled ? 2. Relief.

After framing this issue, the parties drew the attention of the Court towards the other references Nos. 527, 531 and 532 of 1980 and stated that these references are of identical nature between the same parties and the cases may be consolidated in one. So my Predecessor ordered for consolidation of all these cases and again ordered that proceedings and evidences will be recorded in Reference No. 524 of 1980 of Shri Narbir Singh and same will be read in cases Sarvshri Ram Kumar, Pushkar Datt and Sukhbir Singh, references Nos. 527, 531 and 532 of 1980 respectively. After these orders proceeding started and management lead their evidences and produced Exhibit M-1 a photo-stat copy of application of Shri Ram Kumar, Exhibit M-2 photo-stat copy of application of Shri Pushkar Datt, Ex.M-3 a photo-stat copy of application of Shri Sukhbir Singh, Ex. M-4 is a appointment of Shri Sukhbir Singh Ex. M-5 is appointment of Shri Ram Kumar, Ex. M-6 appointment of Shri Pushkar Datt, Ex. M-7 appointment of Shri Narbir Singh, Ex. M-8 a joining report of Shri Pushkar Datt, Ex. M-9 a joining report of Shri Narbir Singh, Ex. M-10 a joining report of Shri Ram Kumar, Ex.M-11 a joining report of Shri Sukhbir Singh, Ex. M-12 a termination order of these four claimant Shri Ram Kumar, Pushkar Datt, Sukhbir Singh and Narbir Singh, Ex-M-13 a copy of resolution of the Central Co-operative Bank Ltd., Rewari, dated 7th May, 1980 by which the time extended, Ex.M-14 a advertisement which the respondent management has given for the advertisement in Tribune dated 27th February, 1980 for these posts, Ex. M-16 application of Shri Pushkar Datt for the post of Secretary of the Society as advertised by the respondent management, Ex.M-17 a application of Shri Ram Kumar for the post of Secretary of the Society as advertised, Ex.M-18 a application of Shri Sukhbir Singh for the post of Secretary of the Society as advertised, Ex. M-19 a application of Shri Narbir Singh for the post of Secretary of the Society as advertised, Ex. M-20 a copy of rules of the Haryana State Central Co-operative Bank, Staff Services "Common Cadre" Rules, 1975 and Ex.M-20/1 a copy of the rules of the Central Co-operative Bank Rewari and produced one witness Shri Pyare Lal, Establishment Officer of the respondent management as MW-1 and closed their case.

The workman gave their own statement WW-1 Narbir Singh, WW-2 Shri Sukhbir Singh, WW-3 Shri Ram Kumar and WW-4 Shri Pushkar Datt and closed their cases.

The case of the workmen according to their demand notices, claim statements and rejoinders is that the claimants appointed as Secretary, Mini Bank, Mandhiya Khurd in the grade of Rs. 110—4—130/5—225 vide appointment letter, dated 31st July, 1980, unlawfully, illegally and malafidely. They have continuous services at the time of their termination and they have claimed their re-instatement with continuity of services and full back wages and all other legal entitlements.

The respondent management raised objections in their written statement stating that appointment of all the claimants was *ad hoc* basis by the Managing Director who has no authority to make appointment so the appointments were illegal and in-effective. They further stated that the Board of Directors which had the statutory authority for the appointments never approved these appointments. The illegal letters of appointment does not confirm any weight to the applicants and it can no way to bound the Board of Directors. They further stated that the appointments of the applicants was made in violation of common

cadre rules. In para No. 1 of the written statement, respondent management has stated that the Managing Director has no authority to appoint these applicants as Secretaries. They have admitted the termination of the applicants. They have further stated that appointment of all the applicants are stopped gap arrangement. My finding on Issue No. 1 is as under :—

Issue No. I.—Issue No. 1 is whether the termination of applicant is justified and in order. To prove this issue, the management has produced as many as 20 documentary evidences and one witness to justify their order of termination. The representative of the management admits the appointment and termination of the claimants. He also admits the continuous services of the claimant for more than 240 days but he argued that the claimants were appointed on *ad hoc* basis and the person who has made appointment orders has no authority to appoint the claimants. So the appointment orders were illegal without authority. He further argued that authority of appointment lies with the Board of Directors. The appointment has not been conferred by it. The managing director has violated the common cadre rules adopted by the Bank so their appointments were illegal. He referred rule Nn. 9.1, 9.3, 9.4 and 33.1. He argued that their appointment were temporary appointment made under the rule adopted by the Bank. The rule 9.1 is the authority for appointment. Rule 9.2 is general conditions relating to appointment. Rule 9.3 nature of appointment (a) *Adhoc* (may be terminated within a period of 3 months without notice) (b) Temporary (may be terminated or made substantive subsequently) (c) Substantive, and rule 9.4 is a appointment direct recruitment. The respondent management has produced oral witness Shri Pyare Lal, Establishment Officer as MW-1 who has produced the documents in the Court and supported the case of the respondent management. On the other hand the representative of workmen argued the case that there is no words as *ad hoc* mentioned in the Industrial Disputes Act, 1947. It is contrary to the provision of the said act and it cannot surpass the Central Act when the Central Act is very clear and applicable to the bank then they cannot go beyond rule and act passed by the Parliament. He further argued that if the letters of appointments were defective, then it not a fault of the workmen and it is fault of the management and Board of Directors who fail to check these all. As admitted by the management that the appointments of the claimants were made on 29th May, 1979 and their services were terminated on 31st July, 1980 after a lapse of more than one year. The Board of Directors aslept over these orders. Moreover the representative of the workmen draw my attention towards Ex.M-13 Copy of resolution No. 11 passed by the Board of Directors of the management its meeting held on 17th May, 1980 which is as under :—

“To consider the *ad hoc* appointment of the following secretaries either to give on day break or to make fresh appointment as should not exceed six months period, and they have decided as the *ad hoc* appointment of all the four secretaries are extended upto 31st July, 1980 or till regular appointments whichever is earlier.” Exhibit M-13 relates to the claimants which is written on Exhibit M-13. The representative of the workman argued that even the Board of Directors has admitted that according to the rules *adhoc* appointment can not exceed more than six months and knowingly fully the consequences of this resolution, they extended the period upto 31st July, 1980. He further called my attention towards the Rule 9.3 (b) of Exhibit M-20 in which it is written *ad hoc* may be terminated within period of three months without notices. According to this rule the services of the claimants can be terminated by the respondent management within the period of three months without notice and after three months according to this rule, the respondent management must have given the notice before termination of their services which is not given in the present cases. Even if we take the case according to the rules adopted by the bank even their termination is illegal. Moreover the banks comes under the Industrial disputes Act, 1947 Section 25(c) 2-(a)(ii) and rules made thereunder—The claimant has a completed more than 240 days and according to law they are permanent employee of the Bank. The facts that claimants have more than 240 days in the service of Bank as admitted by the respondent management in their written statement. After the termination of the services of the claimants, the managements advertise the same post on June 27, 1980 in the newspaper ‘Tribune’ which is Exhibit M-14 and claimants applied for the same posts which are Exhibit M-16 to M-19 and they came for interview for

the same posts. The claimants were appointed on permanent post and these permanent post were filled by the respondent management by terminating the services of the claimant and these were filled by other persons though there four claimants have one year experience for the post and there was no complaints or allegations against these claimants. I agree with the argument put by the representative of the workmen and holds that according to discussions above the services of the claimants terminated without any just reasons and adopting the proper procedure under law and rule. The orders of termination of these four claimants i.e. S/Shri Narbir Singh, Ram Kumar, PushkarDatt and Sukhbir Singh are unjustified and no in order. I decide this issue in favour of the workmen.

After deciding the issue in favour of the workmen they are entitled the relief of reinstatement with their full back wages as per order of the Court. These four references were consolidated so I order accordingly. The copies of these order be put with each reference and this may be read in answer of these references. No order as to costs.

Dated 4th August, 1981.

HARI SINGH KAUSHIK,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endst. No. 2454, dated 10th August, 1981.

Forwarded (four copies) to the Commissioner and Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledge within week's time.

HARI SINGH KAUSHIK,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

H. L. GUGNANI,

Commissioner and Secretary to Government,
Haryana, Labour and Employment Department.

TOWN AND COUNTRY PLANNING DEPARTMENT

The 25th September, 1981

No. 5DP-81/15620.—The following draft of the rules further to amend the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965 which the Governor of Haryana proposes to make in exercise of the powers conferred by section 25 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 are published as required by sub-section (1) of the said section, for the information of persons likely to be effected thereby.

Notice is hereby given that the draft of the rules will be taken into consideration on or after the expiry of a period of thirty days from the date of publication of this notification in the Official Gazette together with the objections or suggestions, if any, which may be received in writing by the Secretary to Government, Haryana, Town and Country Planning Department, Chandigarh from any person in respect of the draft of the rules before the expiry of the period so specified.

DRAFT RULES

1. These Rules may be called the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Rules, 1981.

2. In the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, (hereinafter called the said rules) in rule 3, after sub-rule (5), the following sub-rule shall be inserted, namely:—

“(6) The maps and the lists of Scheduled Roads notified under section 3, shall be displayed at a conspicuous place at the offices of:—

(i) The Director.

(ii) The Estate Officer, if any, having jurisdiction in the Controlled Areas,

(iii) The Deputy Commissioner of the District in which the Controlled Areas is situated, and

(iv) The Panchayat Samiti and Samities in which the Controlled Area is situated”.

3. In the said rule, in rule 6, for the words “applicant” for “the words” applicant, stating the reasons for returning the application, for” shall be substituted.

4. In the said rules, in rule 15, for the word “fees” the word “charges”, shall be substituted.

5. In the said rules, in the rule 19, for letters, signs and brackets “(c),” “(d)” “(e)” and “(f)” the letters signs and brackets “(b)”, “(c)”, “(d)” and “(e)”, shall be substituted.

6. In the said rules, in rule 26C, in sub-rule (1), for the words “registered cover”, the words registered cover with acknowledgement “due”, shall be substituted.

7. In the said rules, in rule 40, in sub-rule (2), in clause (c), for the words “of all” the words “or all” shall be substituted.

8. In the said rules, in rule 42, for the word “fees”, the words “charges” shall be substituted.

9. In the said rules, in rule 48, in the note under sub-rule 3, for the word “Note”, the words, “Explanation”, shall be substituted.

10. In the said rules, in rule 76, for the words “loading” the word “leading”, shall be substituted.

11. In the said rules, in the form BK-I, for the word “Address” the words “signature and address”, shall be substituted.

A. K. SINHA,

Special Secretary to Government Haryana,
Town and Country Planning Department.